

Assembly Bill No. 1758

Passed the Assembly August 23, 2010

Chief Clerk of the Assembly

Passed the Senate August 19, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 18250, 18251, 18253, 18253.5, 18254, 18255, and 18256.5 of, to amend the heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of, to add Section 18258 to, and to repeal and add Section 18256 of, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1758, Ammiano. County wraparound services program.

Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wraparound services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family like setting possible. The pilot project also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties.

This bill would remove the designation of this program as a pilot project and make conforming changes.

Existing law provides for the Medi-Cal program, administered by the State Department of Health Care Services, under which eligible low-income persons are provided with health care services.

This bill would contain various provisions relating to eligibility of children for Medi-Cal benefits that are deemed to be declarative of existing law.

The people of the State of California do enact as follows:

SECTION 1. The heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of the Welfare and Institutions Code is amended to read:

CHAPTER 4. COUNTY WRAPAROUND SERVICES PROGRAM

SEC. 2. Section 18250 of the Welfare and Institutions Code is amended to read:

18250. (a) It is the intent of the Legislature that all counties be authorized to provide children with service alternatives to group home care through the development of expanded family based services programs. These programs shall include individualized or “wraparound” services, where services are wrapped around a child living with his or her birth parent, relative, nonrelative extended family member as defined in Section 362.7, adoptive parent, licensed or certified foster parent, or guardian. The wraparound services developed under this section shall build on the strengths of each eligible child and family and be tailored to address their unique and changing needs.

(b) It is further the intent of the Legislature that the county wraparound services program include the following elements:

(1) Making available to the county the state share of nonfederal reimbursement for group home placement, minus the state share, if any, of any concurrent out-of-home placement costs, for children eligible under this chapter, for the purpose of allowing the county to develop family based service alternatives.

(2) Enabling the county to access all possible sources of federal funds for the purpose of developing family based service alternatives.

(3) Encouraging collaboration among persons and entities including, but not limited to, parents, county welfare departments, county mental health departments, county probation departments, county health departments, special education local planning agencies, school districts, and private service providers for the purpose of planning and providing individualized services for children and their birth or substitute families.

(4) Ensuring local community participation in the development and implementation of wraparound services by county placing agencies and service providers.

(5) Preserving and using the service resources and expertise of nonprofit providers to develop family based and community-based service alternatives.

SEC. 3. Section 18251 of the Welfare and Institutions Code is amended to read:

18251. As used in this chapter:

(a) “County” means each county participating in an individualized or wraparound services program.

(b) “County placing agency” means a county welfare or probation department, or a county mental health department with respect to those children placed pursuant to Section 7572.5 of the Government Code.

(c) “Eligible child” means a child who is any of the following:

(1) A child who has been adjudicated as either a dependent or ward of the juvenile court pursuant to Section 300, 601, or 602 and who would be placed in a group home licensed by the department at a rate classification level of 10 or higher.

(2) A child who would be voluntarily placed in out-of-home care pursuant to Section 7572.5 of the Government Code.

(3) A child who is currently, or who would be, placed in a group home licensed by the department at a rate classification level of 10 or higher.

(d) “Wraparound services” means community-based intervention services that emphasize the strengths of the child and family and includes the delivery of coordinated, highly individualized unconditional services to address needs and achieve positive outcomes in their lives.

(e) “Service allocation slot” means a specified amount of funds available to the county to pay for an individualized intensive wraparound services package for an eligible child. A service allocation slot may be used for more than one child on a successive basis.

SEC. 4. Section 18253 of the Welfare and Institutions Code is amended to read:

18253. Each county shall ensure that an evaluation of the wraparound services program is conducted to determine the cost and treatment effectiveness of outcomes such as family functioning and social performance, preventing placement in more restrictive environments, improving emotional and behavioral adjustments, school attendance, and stability in the least restrictive school placement for eligible children. Systems of care outcomes shall be included to the extent they are applicable to the target population.

SEC. 5. Section 18253.5 of the Welfare and Institutions Code is amended to read:

18253.5. Each county shall ensure that staff participating in the wraparound services program have completed training provided

or approved by the department, on providing individualized wraparound services.

SEC. 6. Section 18254 of the Welfare and Institutions Code is amended to read:

18254. (a) Reimbursement rates for wraparound services, under the wraparound services program, shall be based on the following factors:

(1) The average cost of rate classification 10 to 11 in each county, minus the cost of any concurrent out-of-home placement, for children who are or would be placed in a rate level 10 or 11 group home.

(2) The average cost of rate classification 12 to 14 in each county, minus the cost of any concurrent out-of-home placement, for children who are or would be placed in a rate level 12 to 14 group home.

(b) The annual maximum limit on funding available for the wraparound services program authorized by this chapter shall be based on the average cost, determined pursuant to subdivision (a), for the number of service allocation slots assigned to each county.

(c) The department shall reimburse each county, for the purpose of providing intensive wraparound services, up to 100 percent of the state share of nonfederal funds, to be matched by each county's share of cost as established by law, and to the extent permitted by federal law, up to 100 percent of the federal funds allocated for group home placements of eligible children, at the rate authorized pursuant to subdivision (a).

(d) State and, to the extent permitted by federal law, federal foster care funds shall remain with the administrative authority of the county welfare department, which may enter into an interagency agreement to transfer those funds, and shall be used to provide intensive wraparound services.

(e) General Fund costs for the provision of benefits to eligible children, at rates authorized by subdivision (a), through the wraparound services program authorized by this chapter, shall not exceed the costs which would otherwise have been incurred had the eligible children been placed in a group home.

SEC. 7. Section 18255 of the Welfare and Institutions Code is amended to read:

18255. Any county that applies to, and is granted approval, by the department may implement a wraparound services program.

The number of service allocation slots assigned to each county shall be determined by each county and approved by the department.

SEC. 8. Section 18256 of the Welfare and Institutions Code is repealed.

SEC. 9. Section 18256 is added to the Welfare and Institutions Code, to read:

18256. The department shall work with the County Welfare Directors Association of California to identify periodic data elements to be collected in order to track the impact of the counties' wraparound services programs on applicable California Child and Family Services Review System outcome indicators, such as safety, permanency, and the well-being of the child.

SEC. 10. Section 18256.5 of the Welfare and Institutions Code is amended to read:

18256.5. In order to prevent disruption to a child participating in a wraparound services program, any county that terminates its wraparound services program shall ensure the participating child's service needs are met without disruption until his or her case is closed.

SEC. 11. Section 18258 is added to the Welfare and Institutions Code, to read:

18258. (a) A child who is categorically eligible for Medi-Cal benefits pursuant to Section 1396a(a)(10)(A)(i)(I) of Title 42 of the United States Code shall remain eligible for Medi-Cal benefits so long as foster care maintenance payments under Title IV-E of the federal Social Security Act are made on the child's behalf. Placement at home without a change in the child's status as an adjudicated dependent or ward of the juvenile court shall not be cause for a redetermination unless necessary to obtain federal financial participation for Medi-Cal.

(b) A child who is eligible for Medi-Cal benefits, but is not described in subdivision (a), shall remain eligible for benefits subject to annual Medi-Cal redetermination pursuant to Section 14012. Placement at home without a change in the child's status as an adjudicated dependent or ward of the juvenile court shall not be cause for a redetermination unless necessary to obtain federal financial participation for Medi-Cal.

(c) Medi-Cal eligibility for a child receiving wraparound services pursuant to this chapter shall be determined in accordance with

the standards, methodologies, and procedures outlined in Chapter 7 (commencing with Section 14000) of Part 3 of Division 9.

(d) This section is declaratory of existing law.

Approved _____, 2010

Governor